

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

CHARLIE CLIFTON TAYLOR

VS.

CIVIL ACTION NO. 1:13cv510 KS-MTP

BALYDIA SHANKS

ORDER

This cause is before the Court on defendant's Motion to Dismiss [24] and Report and Recommendation [27] filed by Magistrate Judge Michael T. Parker. The Motion to Dismiss is based on the purported failure to exhaust claim by defendant. Judge Parker's recommendation recommends that the Motion be denied without prejudice, and the Court, based on the record and the recommendation finds that the Report and Recommendation is correct.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Motion to Dismiss [24] is denied without prejudice.

SO ORDERED this the 4th day of August, 2014.

s/ Keith Starrett
UNITED STATES DISTRICT JUDGE